

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FRANK E. TEXIDOR,

Plaintiff,

-against-

N.Y.C. DEPT. OF CORRECTIONS, N.Y.C.
CORRECTIONAL HEALTH SERVICES,
BELLEVUE HOSPITAL CENTER, STEPHEN
RUSSELL, M.D.,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/6/15

14 Civ. 7893 (AT)(JLC)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

On September 29, 2014, Plaintiff *pro se*, Frank E. Texidor, filed this action, alleging that he received inadequate medical care while in custody at Rikers Island. On February 18, 2015, the Court referred the matter to the Honorable James L. Cott.

After careful consideration, Magistrate Judge Cott issued a Report and Recommendation (the "R & R"), proposing that: (1) the claims against Defendants Bellevue Hospital Center ("Bellevue") and Stephen Russell, M.D., be dismissed *sua sponte* pursuant to Rule 4(m) of the Federal Rules of Civil Procedure; and (2) this action be dismissed without prejudice. Despite notification of the right to object to the R & R, no objections were filed, and the time to do so has passed. *See* Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R & R for clear error. *E.g., Kinsey v. Bloomberg*, 12 Civ. 8936, 2014 WL 630670, at *1 (S.D.N.Y. Feb. 18, 2014). The Court finds no clear error. Accordingly, the Court ADOPTS the R & R in its entirety. The claims against Bellevue and Russell are DISMISSED and this action is DISMISSED without prejudice.

The Clerk of Court is directed to close the case and to mail a copy of this order to Plaintiff *pro se*.

SO ORDERED.

Dated: July 6, 2015
New York, New York



ANALISA TORRES
United States District Judge